

KESSNER UMEBAYASHI BAIN & MATSUNAGA
Attorneys at Law, A Law Corporation

ELTON JOHN BAIN 2443-0
STEPHANIE HALFORD 9555-0
220 South King Street, Suite 1900
Honolulu, Hawaii 96813
Telephone No. (808) 536-1900
Facsimile No. (808) 529-7177
Email: jbain@kdubm.com
shalford@kdubm.com

Attorneys for Defendant/Cross-Claim Defendant
ISLANDS EMERGENCY MEDICAL SERVICE, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MICHAEL J. JACKSON,)	CIVIL NO. 11-00308 ACK RLP
)	(FTCA - Medical Malpractice)
Plaintiff,)	
)	
vs.)	STIPULATION FOR DISMISSAL
)	WITH PREJUDICE OF THE FIRST
UNITED STATES OF AMERICA;)	AMENDED COMPLAINT AND ALL
JAY T. POINDEXTER, M.D.; and)	CROSS CLAIMS
ISLANDS EMERGENCY MEDICAL)	
SERVICE, INC.,)	
)	
Defendants.)	
)	
<hr/> UNITED STATES OF AMERICA,)	
)	
Defendant/)	
Cross-Claimant,)	
)	
vs.)	
<hr/> JAY T. POINDEXTER, M.D., and)	

ISLANDS EMERGENCY MEDICAL)
SERVICE, INC.,)
)
Defendants/)
Cross-Claim Defendants.)
_____)

**STIPULATION FOR DISMISSAL WITH PREJUDICE OF
THE FIRST AMENDED COMPLAINT AND ALL CROSS CLAIMS**

IT IS HEREBY STIPULATED by and between Plaintiff Michael J. Jackson (“Plaintiff”) and Defendants United States of America (“USA”), Islands Emergency Medical Service, Inc. (“IEMS”), and Jay Poindexter, M.D. (“Poindexter”), by and through their undersigned counsel, and pursuant to Rule 41(a)(1)(A)(ii) and Rule 41(c) of the Federal Rules of Civil Procedure, that the subject action known as Civil No. CV 11-00308 ACK-RLP, including the First Amended Complaint filed by Plaintiff on June 14, 2012, the First Amended Cross Claim filed by USA on June 28, 2012, the First Amended Cross Claim filed by IEMS on June 28, 2012, and the First Amended Cross Claim filed by Poindexter on June 28, 2012 are hereby dismissed with prejudice, each party to bear its own attorney’s fees and costs.

There are no remaining claims or issues against any party that has appeared in this case. All appearing parties have signed this Stipulation. This Stipulation may be signed in counterparts.

Trial in this matter has been set for May 7, 2013.¹

DATED: Honolulu, Hawaii June 18, 2013

/s/ JOHN D. THOMAS

L. RICHARD FRIED, JR.

JOHN D. THOMAS

Attorneys for Plaintiff

MICHAEL J. JACKSON

/s/ HARRY YEE

HARRY YEE

Attorney for Defendant/Cross-
Claimant UNITED STATES OF
AMERICA

/s/ BRADFORD F.K. BLISS

THOMAS E. COOK

BRADFORD F. K. BLISS

Attorneys for Defendant/Cross-Claim
Defendant JAY T. POINDEXTER,
M.D.

/s/ ELTON JOHN BAIN

ELTON JOHN BAIN

STEPHANIE D. HALFORD

Attorneys for Defendant/Cross-Claim
Defendant ISLANDS EMERGENCY
MEDICAL SERVICE, INC.

¹ Michael J. Jackson v. United States of America, et al; Civil No. 11-00308 ACK RLP; STIPULATION FOR DISMISSAL WITH PREJUDICE OF THE FIRST AMENDED COMPLAINT AND ALL CROSS CLAIMS

APPROVED AS TO FORM.

DATED: Honolulu, Hawaii, June 19, 2013



Alan C. Kay

Alan C. Kay
Sr. United States District Judge